



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Ryan Dennard Kevin O'Brien Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA September 30, 2014 – 1:30 PM

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

REGULARLY SCHEDULED MEETING

Call to Order

Invocation and Pledge of Allegiance

Consent Agenda

- *1. Submitted by Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 9/23/14 & 9/30/14
 - b. Order for Payroll period ending 9/24/14 Bi-Weekly #20
 - c. Order for Supplemental Payroll period ending 9/24/14 Bi-Weekly #20
 - d. Order for monthly Health Insurance Claims made by Boon Chapman for month ending 8/31/14
 - e. Order for Indigent Health Care Fund made by Boon Chapman for month ending 8/31/14
 - f. Order for Worker's Compensation claims made by The Littleton Group for month ending 8/31/14
 - g. Monthly Financial Report for month ending 8/31/14
 - h. Bi-Weekly Audits for County Payrolls for Bi-Weekly 8 - 14

- *2. Receive and file *Summary of Bi-Weekly Personnel Movements pay period #19, August 28 - September 10, 2014* submitted by Human Resources.
- *3. Receive and file *Notice pursuant to H.B. 3059, Section 366.005 of Texas-New Mexico Power Company providing utility service to Galveston County* submitted by the County Judge.
- *4. Consideration of *approval of reappointment of James Waguespack to the Galveston County Rural Rail Transportation District Board for a term ending July 31, 2016* submitted by Commissioner, Precinct 1.
- *5. Consideration of *approval of appointment of Christopher Neil Stevens, Sr. to the Galveston County Rural Rail Transportation District Board for a term ending July 31, 2016* submitted by Commissioner, Precinct 4.
- *6. Consideration of *approval of a nomination to the Galveston County United Board of Health, replacing Wayde Shipman and term ending April 30, 2016*, submitted by the County Judge.
- *7. Receive and file *FEMA Region 6 Outstanding Community Emergency Response Team (CERT) Initiatives & Community Preparedness Heroes Honorable Mention Awards and of 2014 Individual and Community Preparedness Award Competition* submitted by Emergency Management.
- *8. Consideration of a *Resolution designating October 5-11, 2014 as National 4-H week in Galveston County* submitted by County Judge's Office.
- *9. Consideration of *approval of a resolution regarding EPA regulation of CO2 Emissions* submitted by Commissioner, Precinct 4.
- *10. Consideration of a *Resolution honoring the retirement of Deborah H. Chapa from the Galveston Area Office of the Texas Department of Transportation (TxDOT)* submitted by Commissioner, Precinct 2.
- *11. Consideration of a *Resolution in Support of D'Feet Breast Cancer, Inc. and Proclaiming October 18, 2014 as Celebration of Life Day*, submitted by County Judge's Office.
- *12. Consideration of a *Resolution in Support of Hyperbaric Oxygen Therapy*, submitted by County Veteran Services.
- *13. Consideration of *ratification of action taken on September 25, 2014 and thus ratifying authorization to file mandamus action against Hon. Lonnie Cox, Presiding Judge of 56th Judicial District Court of Galveston County, Texas and Local Administrative Judge, and wherein such authority to undertake litigation shall include any other*

litigation that may be necessary and against those parties necessary to restrain the interference of the Commissioners Court in the lawful exercise of the Commissioners Court's authority submitted by County Legal.

- *14. Consideration of *approval of a consulting services agreement with IXP Corporation for Emergency Communications* submitted by Commissioner, Precinct 1.
- *15. Consideration of *authorizing the County Judge to execute the Galveston County Texas Coastal Alternative Program (Funding Parameters, Interlocal Agreement and Memorandum of Understanding) for the 2014-2015 School Year* submitted by the County Judge.
- *16. Consideration of *ratification of appeal of the Notice of Item Cancellation issued September 4, 2014 by the Texas Windstorm Insurance Association* submitted by County Legal.
- *17. Receive and file *FY2015 Approved Purchasing Agent Budget* submitted by the Purchasing Agent.
- *18. Consideration of *execution of an interlocal agreement with the City of League City - Congregate Meal Grant Program for fiscal year 2015*, submitted by the Parks & Senior Services.
- *19. Consideration of *execution of an interlocal agreement with the City of Friendswood - Congregate Meal Grant Program for fiscal year 2015*, submitted by the Parks & Senior Services.
- *20. Consideration of *execution of an interlocal agreement with the City of Texas City - Congregate Meal Grant Program for fiscal year 2015*, submitted by the Parks & Senior Services.
- *21. Consideration of *approving a donation of 4 all access tickets to Moody Gardens for the Bolivar Beach Sticker Program Logo contest*, submitted by the Parks Department.
- *22. Consideration of *approval of granting a reduction of a permit fee (Facility Permitting Policy, Section 5.1.2 and 5.1.3) for Bedrock Property Management and Moms of League City for use of Elba Lobit Park for a fall festival benefitting the Susan G. Komen Houston organization on Saturday, October 25, 2014* submitted by the Parks Department.
- *23. Consideration of *approval for renewal of Domain names with Symantec Corporation* submitted by Information Technology.
- *24. Consideration of *approval for EMC VNX 5300 upgrade for additional storage for the Production DataCenter and Disaster recovery DataCenter with UDI* submitted by Information Technology.

- *25. Consideration of *approval to purchase Constable Laptops and Docking Stations with PCS Mobile to replace JP Laptops that are out of date* submitted by Information Technology.
- *26. Consideration of *approval for Brocode 6510 Switches for Court House Main with Unique Digital Technology Inc.* submitted by Information Technology.
- *27. Consideration of *approval for renewal of Password Reset Software for 1000 licenses with one year support with SHI* submitted by Information Technology.
- *28. Consideration of *professional engineering services with Dannenbaum Engineering for annual TxDOT traffic counting for the FM 646 pass thru toll reimbursement* submitted by the County Engineer.
- *29. Consideration of *application from William McDaniel, managing partner of Bill Chuck Investments, LP to convey portions of Lots 1 thru 7 of Crystal Dunes subdivision in Crystal Beach by metes and bounds without revising the plat* submitted by the County Engineer.
- *30. Consideration of *approval of a revised sponsor letter for the FM 646 widening project in Santa Fe* submitted by the County Engineer.
- *31. Consideration of *approval for Renewal Services for Technique Data Contract Services* submitted by the Tax Assessor/Collector:
- *32. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a.

R426495	Burgess, Rosemary	2013	\$1528.47
R106962	Ebone, Vicky & Sam	2009	\$552.79
R106962	Ebone, Vicky & Sam	2010	\$1210.59
R111578	Lopez, Gildario	2013	\$34.62
R101885	Lopez, Gildario	2013	\$148.22
R101886	Lopez, Gildario	2013	\$29.73
R101888	Lopez, Gildario	2013	\$29.58
P385072	Lopez, Gildario	2013	\$30.47
R110578	Lopez, Gildario	2013	\$185.42
R132701	Lopez, Gildario	2013	\$188.90
R121260	Lopez, Gildario	2013	\$135.44
R166213	Nava, Bonnie	2013	\$124.31

- *33. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the

Tax Assessor/Collector:

a.

R416813 Park, Young-Won 2013 \$537.74

- *34. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors by the USPS as Recommended by Penalty & Interest Review Committee in Accordance with County Policy* submitted by the Tax Assessor/Collector:

a.

R126496 Layton, John & Janet 2013 \$107.91

- *35. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a.

H706-3001-4000-8000 Davis, Sondra 2013 \$9.57 Waiver
\$68.56 Refund

- *36. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors* Submitted by the Tax Assessor/Collector:

a.

R230038 Ryda Chem 2013 \$133.26
R230039 Ryda Chem 2013 \$ 1.51

- *37. Consideration of *approval Tax Refunds in Excess of \$2500.00* submitted by the Tax Assessor/ Collector:

a.

R198082 \$5,528.60 Over Payment
R144295 \$4,111.49 Over Payment

- *38. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors as Recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a. **R105125** Ora Fields 2013 \$51.37

- *39. Consideration of *approval Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

a.

R198238 \$2,730.13 Over Payment
R123538 \$6,858.84 Over Payment

*40. Consideration of *approval of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

a. **R508909** \$7,577.75 Over Payment

*41. Consideration of *approval of Tax Refunds in Excess of \$2,500.00* submitted by the Tax Assessor/Collector:

a.

R122529	\$6,123.84	SUPP Adjustment
R128886	\$7,276.53	SUPP Adjustment
R114050	\$2,749.78	SUPP Adjustment
R433424	\$3,657.66	SUPP Adjustment
R103868	\$2,969.70	SUPP Adjustment
R600187	\$3,265.45	SUPP Adjustment
R124070	\$2,795.45	SUPP Adjustment

*42. Receive and file *Order for appointment of Court Reporter* as submitted by District Judge, 10th Judicial District Court.

*43. Receive and file *Order for appointment of Court Reporter* as submitted by District Judge, 56th Judicial District Court.

*44. Receive and file *Order for appointment of Court Reporter* as submitted by District Judge, 122nd Judicial District Court.

*45. Receive and file *Order for appointment of Court Reporter* as submitted by District Judge, 212th Judicial District Court.

*46. Receive and file *Order for appointment of Court Reporter* as submitted by District Judge, 306th Judicial District Court.

*47. Receive and file *Order for appointment of Court Reporter* as submitted by District Judge, 405th Judicial District Court.

*48. Receive and file *Order for appointment of Court Reporter* as submitted by County Judge, County Court at Law No.1.

*49. Receive and file *Order for appointment of Court Reporter* as submitted by County Judge, County Court at Law No. 2.

*50. Receive and file *Order for appointment of Court Reporter* as submitted by County Judge, County Court at Law No.3.

*51. Receive and file *Order for appointment of Court Reporter* as submitted by Probate

Judge, Probate Court of Galveston County.

- *52. Receive and file *Order for appointment of Court Reporter* as submitted by Juvenile Referee, Juvenile Probation Department.
- *53. Consideration of *approval of FY 2015 Interagency Agreements between the County of Galveston, City of Galveston and the City of La Marque for the Galveston County Auto Crimes Task Force and approve Judge's signature on required documents* submitted by the Grants Manager.
- *54. Consideration of *approval of the Galveston County Department of Parks & Cultural Services grant application and Resolution to the Texas Department of Agriculture's Texans Feeding Texans Grant Program* submitted by the Grants Manager.
- *55. Consideration of *approval of a Resolution authorizing a County Grant to the Bay Area Meals on Wheels, Inc. in the amount of \$1,000 in support of their Texas Department of Agriculture's Texans Feeding Texans Grant Application* submitted by the Grants Manager.
- *56. Consideration of *acceptance of Texas Department of Emergency Management FY 2014 Emergency Management Performance Grant and Authorize County Judge to sign required documents* submitted by the Grants Manager.
- *57. Consideration of *acceptance of the Texas Department of Public Safety FY 2014 Urban Area Security Initiative Grant and Authorize County Judge to sign required documents* submitted by the Grants Manager.
- *58. Consideration of *acceptance of Texas Department of Public Safety FY 2014 State Homeland Security Program Grant Funds and Authorize County Judge to sign required documents* submitted by the Grants Manager.
- *59. Consideration of *acceptance of Texas General Land Office FY 2015 Coastal Erosion Planning & Response Act Grant and Authorize County Judge to sign required documents* submitted by the Grants Manager.

Action Agenda

60. County Judge

- a. Consideration of granting authority to County Judge to sign a Resale Deed on the following tax foreclosed property:

- 1. **CAD#: 7056-0000-0345-006**

61. County Legal

- a. Consideration of authorizing the County Judge to execute an agreement with Dickinson Independent School District to widen an existing easement across DISD property to allow access to the 64 acre Park.
- b. Consideration of appointment of Sheriff of Galveston County to conduct a public auction to sell and complete the transfer of the following real property at the request of the Galveston County Housing Department: 123 4th Ave. N., Texas City.
- c. **Break into Executive Session.**
- d. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 454-15-0308.E, Galveston County v. TWIA, in the State Office of Administrative Hearings.
- e. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:12-CV-00215, Robert Powell, et al v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- f. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:14-CV-00186, Tomasa Duran v. Galveston County, in the U.S. District Court for the Southern District of Texas, Galveston Division.
- g. **Executive Session:** Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, pursuant to Section 551.071 of the

Government Code: to seek the advice of its attorney about pending or contemplated litigation or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to the authority of the Commissioners Court over Justice Administration and contemplation of or pending litigation against Local Administrative Judge or the District Judges , if applicable.

- h. **Reconvene into Regularly Scheduled Session.**
- i. Consideration of taking action regarding the position of Director of Justice Administration.

62. **Professional Services**

- a. Consideration of approval of the following Budget Amendments:
 - 1. 14-118-0930-A
Group Insurance, Workers Compensation and Unemployment Fund -
Request additional funds to cover Group Insurance Claims Paid through the end of fiscal year 2014.
 - 2. 14-119-0930-B
District Clerk - Request additional funds for personnel and fringe benefit expenditures through the end of fiscal year 2014.
 - 3. 14-120-0930-C
Sheriff - Summer Program Request additional funds for Summer Program - Overtime and fringe benefit expenditures through the end of fiscal year 2014.
 - 4. 14-121-0930-D
Law Library - Request an interfund transfer for additional funds to cover books and periodicals through the end of fiscal year 2014.
 - 5. 14-122-0930-E
Flood Control - Request additional funds for an in-policy lateral re-assignment and fringe benefits from FM Lateral Road (Position #16) to Seawall Maintenance (Position #16).
 - 6. 14-123-0930-F
Justice Administration - Request additional funds to cover Other Services and Charges through the end of fiscal year 2014.
 - 7. 15-002-0930-A
Justice Court Precinct #4-A - Request additional funds for a part-time

employee and fringe benefits for Justice Court Precinct 4-A.

8. 15-003-0930-B
Flood Control - Request additional funds for an in-policy lateral re-assignment and fringe benefits from FM Lateral Road (Position #16) to Seawall Maintenance (Position #16).
9. 15-004-0930-C
Sheriff - Request interdivisional/interdepartmental/interfund transfers for various personnel and fringe benefits for 2015.

63. **Sheriff**

- a. Consideration of authorizing an Interlocal Governmental Agreement for School Liaison Officer Program with Clear Creek Independent School District and Galveston County.

Adjourn

WORKSHOP AGENDA

1. Discuss Modification of Contract-Personal Guarantee Regarding 61st Pier (Lollipop) proposed by prospective buyer of property.
2. Discussion regarding the Automated Toll and Mike Stone Associates submitted by Commissioner, Precinct 2.

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.
